

SENATE BILL 876

By Akbari

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 9, Chapter 8; Title 10, Chapter 7; Title 16;
Title 18; Title 20; Title 21; Title 27; Title 28; Title
29; Title 45; Title 47; Title 50, Chapter 6 and Title
66, relative to credit data.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, is amended by adding
the following as a new part:

47-18-5601.

As used in this part:

(1) "Civil action" means a legal proceeding for:

(A) Collection of a debt;

(B) Monetary compensation for damages caused by a person's
act or omission; or

(C) Eviction;

(2) "Consumer report" has the same meaning as defined by 15 U.S.C. §
1681a(d); and

(3) "Consumer reporting agency" has the same meaning as defined by
15 U.S.C. § 1681a(f).

47-18-5602.

(a) Beginning July 1, 2023, a consumer reporting agency shall not include on a
consumer report a record of a civil action that is filed in this state, if:

(1) The action was dismissed with prejudice and a notice of appeal was
not timely filed;

(2) The action was dismissed without prejudice, but cannot be recommenced under § 28-1-105 or another law; or

(3) A satisfaction of judgment was entered for the court's final judgment in the action.

(b) If a consumer reporting agency includes information in a consumer report in violation of subdivision (a), the person to whom the consumer report applies may dispute the completeness or accuracy of such information, as provided under the federal Fair Credit Reporting Act (15 U.S.C. § 1681i).

(c) Nothing in this part prohibits a consumer reporting agency from including in a consumer report a debt that is based on a valid judgment that has not been satisfied.

47-18-5603.

(a) A violation of this part constitutes a violation of the Tennessee Consumer Protection Act of 1977, compiled in part 1 of this chapter. A violation of this part constitutes an unfair or deceptive act or practice affecting trade or commerce and is subject to the penalties and remedies as provided in the Tennessee Consumer Protection Act of 1977, in addition to the penalties and remedies in this part.

(b) The attorney general and reporter has all of the investigative and enforcement authority that the attorney general and reporter has under the Tennessee Consumer Protection Act of 1977 relating to alleged violations of this part. The attorney general and reporter may institute any proceedings involving alleged violations of this part in Davidson County circuit or chancery court or any other venue otherwise permitted by law.

(c) Costs of any kind or nature cannot be taxed against the attorney general and reporter or the state in actions commenced under this part.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.